

EXHIBIT 5

To the Board of Directors and Ethics Committee of the Court of Master Sommeliers, Americas:

As your colleagues and as members of the Court of Master Sommeliers, we feel the decision reached by the Board of Directors of the Court of Master Sommeliers (the "Board") was done in haste and did not follow appropriate due process in redacting the status of the Class of 2018, as outlined in the Bylaws of the Court of Master Sommeliers, Americas.

We understand there is no precedent for these circumstances, but the absolute nature of the Court's decision, coupled with the public manner in which it was handled, has compromised the integrity of those who sat the exam fairly, in accordance with the standards of the Court and without unjust advantage. The decision has collectively devalued our accomplishment and broadly inferred that we are guilty by association. Many of us have already incurred the public spattering of our names across the press, associated with words like "scandal,"¹ "cheating,"² and "shame."³

We have met the requirements of Section 2.1 Classification and Qualifications of Members and Section 2.2 Admission to Membership (EXHIBIT A) and are entitled to the procedures for termination or suspension as outlined in Section 2.11 Termination and Suspension of Membership (EXHIBIT B), which does not include language about retesting, but does allow those affected "a timely opportunity... to be heard on the matter of the termination or the suspension."

The decision to invalidate our results and require retesting will not be an adequate measure of our integrity or skills, nor is it respectful to the status we have rightfully earned as Master Sommeliers. We feel that the Board owes those impacted by the allegations complete transparency and full disclosure of the incidents that lead to this decision. In addition, we would like the Board to deal with the parties that received the compromising email, outlining two wines the morning of the tasting, independently from the remainder of the group.

To re-test the 54 candidates, effectively exonerates the guilty parties, and at the very least rewards their lack of moral courage. This also sets a precedent that with this decision the Board can, at any time, determine that a section of the MS is invalid and void credentials.

A prominent member of the Board broke the Code of Ethics and Conduct set forth by the Court, the onus lies with the Board to issue an apology clearing those not involved in the allegations.

"We chart the course for current and future Master Sommeliers worldwide"

¹ <https://www.sfchronicle.com/wine/article/Somm-scandal-Revelations-of-cheating-at-master-13294233.php>

² <http://www.chicagotribune.com/dining/ct-food-wine-court-of-master-sommeliers-20181009-story.html>

³ <https://www.thedailybeast.com/cheating-scandal-rocks-elite-master-sommelier-exams?source=articles&via=rss>

We acknowledge the time and consideration invested in this matter by the Board, but feel our input is integral to arriving at a more just solution. This letter is intended to set a better course for us all, in the hopes that we come out of this stronger as an organization.

Sincerely,

Daniel Pilkey, MS

Andrey Ivanov, MS

Justin Timsit, MS

Jill Zimorski, MS

Steven Washuta, MS

Vincent Morrow, MS

Scott Barber, MS

Elton Nichols, MS

Douglas Kim, MS

Steven McDonald, MS

Tyler Alden, MS

Christopher Ramelb, MS

Joshua Orr, MS

Jane Lopes, MS

Dana Gaiser, MS

Maximilian Kast, MS

Peter Bothwell, MS

James Lechner, MS

EXHIBIT A

Section 2.1 Classification and Qualification of Members

Any natural person who: 1) is dedicated to the purposes of the Corporation; 2) has successfully completed the prescribed course of study and has been awarded the Master Sommelier Diploma; and 3) has read and signed the Court's Code of Ethics and Conduct, the Release and Waiver of Liability attached thereto, and the Court's Alcohol Policy, as adopted and as may be amended by the Board from time to time, shall be eligible for membership.

Section 2.2 Admission to Membership

Any person eligible and qualified for membership under these Bylaws may be admitted to membership on the approval of the Board or the duly authorized committee of the Board, and upon timely payment of such dues and fees as the Board may fix from time to time.

EXHIBIT B**Section 2.11 Termination and Suspension of Membership**

(a) Termination. The Board may terminate or suspend a member's membership and rights of membership for good cause if the procedures of Section 2.11 (d) of these Bylaws are followed. "Good cause" for the purposes shall include, but shall not be limited to: 1) the nonpayment of dues, fees or assessments within ninety (90) days after they have become due; 2) a member's failure to meet the qualifications for membership in Section 2.1 of these Bylaws; 3) violation of the Corporation's Code of Ethics and Conduct; and 4) any conduct materially and seriously prejudicial to the purposes and interests of the Corporation. The Board may appoint a committee to investigate, report, and make a recommendation to the Board regarding the termination or suspension of a member. The Board, in its discretion, may authorize the committee to suspend a member upon the authorized committee's determination of good cause without further action by the Board, but only the Board shall have the authority to take other disciplinary action or to terminate a member. The Board, or its authorized committee where the committee is authorized to suspend a member, has the discretion, in each instance, to determine whether good cause exists, based up the facts and circumstances presented.

(d) Procedures for Termination or Suspension. Before a member may be terminated or suspended pursuant to Section 2.11(a) of these Bylaws, the Corporation, or its authorized committee if the committee has determined to suspend the member, shall provide the member with thirty (30) days' prior written notice of the termination or suspension stating the reasons therefore and shall provide a timely opportunity for the member to be heard on the matter of the termination or suspension. The notice shall be given personally, by electronic transmission to such member (in a manner permitted by the California Nonprofit Mutual Benefit Corporation Law), or sent by first-class mail to the last address of such member as show on the records of the Corporation. The opportunity to be heard may, at the election of such member, be oral or in writing and shall occur not less than five (5) days before the effective date of the termination or suspension; such hearing shall be held, or written statement considered, by the Board or its authorized committee to determine whether the termination or suspension should occur. The hearing shall be conducted in a fair and reasonable manner, as determined by the Board or its authorized committee from time to time in accordance with Corporations Code §7341. A member shall have the opportunity to call upon any person(s) whose evidence may be pertinent, provided that the member shall provide the name(s) of such person(s) in writing to the Board or its authorized committee not less than fifteen (15) days before the date of the hearing.

(e) Procedures for Reinstatement. Before any member may be reinstated, the member must submit a reinstatement request in writing to the Chair, together with information related to the satisfaction of any conditions that may have been imposed by the Board or its authorized committee for reinstatement. The Chair may request additional information of the member requesting reinstatement and following review and consideration of the reinstatement request and related information, and the Chair shall make a recommendation to the Board of Directors or its authorized committee for a final decision. A member who is terminated for any reason may be readmitted only by the Board.



Pete Bothwell <[REDACTED]>

RE: Letter from October 10 Dan Pilkey and others

Kathleen Lewis <[REDACTED]>

Thu, Oct 11, 2018 at 7:10 PM

To: [REDACTED]



October 11, 2018

RE: Letter from October 10 Dan Pilkey and others

Dear Peter:

We received an email letter from 19 of you last night. Thank you for your sincerity in sharing your thoughts and perspective.

Your pursuit of the Master Sommelier Diploma is a testament to your passion, integrity, and dedication. It is with the same dedication, spirit of excellence and fairness that we made these very difficult but necessary decisions. None of us want to be here, certainly not any of you. As a unified Board our collective hearts ache for each of you impacted by the unfortunate acts that brought us all here.

That said, questioning our collective diligence and thoughtfulness around due process is misplaced, as is doubting our understanding of the implications of our decisions on each of you and the Court.

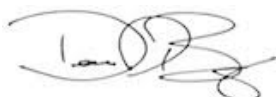
The Board of Directors received irrefutable and undeniable evidence that the tasting portion of the 2018 examination was compromised. The investigation further proved that it would be impossible to know with certainty 1) how the incident unfolded; and 2) who may or may not have ultimately received confidential information. The results of the investigation, coupled with a thorough discussion of the implications of the Board's options and thoughtful counsel of the Ethics Committee, informed our unanimous decisions. The Board's investigation led us to the correct decision, painful as it was, to preserve the integrity of the whole examination process and the title of Master Sommelier.

As you correctly state, the Court's bylaws provide for due process and a timely opportunity to be heard. As previously stated, we will follow the process set out in the bylaws and observe all requirements of California law. On Friday afternoon, we will send you more information about the process, and your rights and privileges within the process.

We have been guided in this process by a steadfast adherence to the mission and values of the Court, a clear understanding of legal due process as advised by outside legal counsel every step of the way, and by our own personal moral compasses and the commitments each of us has made to preserving the rich heritage and future of the Court of Master Sommeliers - Americas.

We remain steadfast in our commitment to maintaining the integrity of the Court of Master Sommeliers, and the value of the Master Sommelier credential through rigorous, fair examination. We also remain compassionate for what each of you is going through, emotionally, professionally and personally.

With Gratitude,



Devon Brogue, MS

Chairman of the Board

Court of Master Sommeliers, Americas

Matt Stamp – Vice Chairman of the Board

Randa Bertao – Board of Directors

Scott Carney – Board of Directors

Craig Collins – Board of Directors

Brett Davis – Board of Directors

Thomas Price – Board of Directors

Cameron Douglas – Board of Directors

Ron Edwards – Board of Directors

Eric Entrikin – Board of Directors

Peter Granoff – Board of Directors

Virginia Phelps – Board of Directors

Steven Poe – Board of Directors

Laura Wamson – Board of Directors

Andrew McNamara – Chairman 2015-2018

Greg Harrington – Chairman 2012-2011



The Court of Master Sommeliers sets the global standard of excellence for beverage service within the hospitality industry with integrity, exemplary knowledge, and humility.